

Official

7/8/03

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0661-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/538,727	
	Filing Date	03/28/2000	
	First Named Inventor	MICHAEL T. ROSSIDES	
	Art Unit	3822	
	Examiner Name	RETTA, YEHDEGA	
Total Number of Pages in This Submission	12	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal C communication (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	MICHAEL T. ROSSIDES	
Signature	<i>Michael T. Rossides</i>	
Date	07/08/2003	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 07/08/2003		
Typed or printed	MICHAEL T. ROSSIDES	
Signature	<i>Michael T. Rossides</i>	Date 7/8/03

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1-2 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OFFICIAL

FAX RECEIVED

JUL 17 2003

GROUP 3600

Received from &lt;4805153630&gt; at 7/8/03 7:47:30 PM [Eastern Daylight Time]

BEST AVAILABLE COPY

BEST AVAILABLE COPY (USPTO)

Michael T. Rossides  
11167 E. Mirasol Circle, Scottsdale, AZ 85255  
480-515-3630 (H), 602-295-4987 (C), [rossides@cox.net](mailto:rossides@cox.net)

*Antonia Lewis*  
*#10/6 N/E*  
*wegm*  
*7.23.03*

*Official*

7/08/03

*7/8/03*

Re: Application 09/536,727  
Examiner: Yehdega Retta  
Art Unit: 3622

### INTRODUCTION

Dear Examiner Retta:

Regarding application 09/536,727, the Office Action of 05/21/2003, rejected claim 4 because the claim did not describe statutory matter. Therefore, I hereby cancel claim 4 and submit claim 5 (page 2 below). Claim 5 corrects formal deficiencies in claim 4.

After presenting new claim 5, I discuss how it differs from claim 4 and why.

The Office Action also rejected claim 4 for being obvious in light of Goldhaber, previously cited, and newly cited prior art, Kohorn. So, I also discuss how claim 5 is distinguished from this prior art. First, I discuss Goldhaber, then Kohorn, and then the combination of Goldhaber and Kohorn, with an example case. Note: I recommend reading this example (pages 9-11 below) first.

### CONTENTS

NEW CLAIM	2
REMARKS on CORRECTING FORMAL DEFICIENCIES	3-4
REMARKS on the PRIOR ART	5-11
Example case	9-11

**OFFICIAL**

**FAX RECEIVED**

**JUL 17 2003**

**GROUP 3600**